

SENATE BILL NO. 244—SENATOR CANNIZZARO

FEBRUARY 28, 2019

Referred to Committee on Judiciary

SUMMARY—Provides a criminal penalty for violation of a stay away order issued by a court. (BDR 15-924)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to crimes; providing a criminal penalty for violation of a stay away order issued by a court; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides that persons who commit certain acts constituting contempt of court are guilty of criminal contempt, which is punishable as a misdemeanor. (NRS 199.340) Existing law also: (1) deems certain acts or omissions to constitute contempt, including disobedience of the order or direction of the court made pending the trial of an action; and (2) provides that a person found guilty of contempt may be fined not more than \$500 or imprisoned for not more than 25 days, or both. (NRS 22.010, 22.100)

This bill provides that a person who violates a stay away order is guilty of a misdemeanor. This bill defines a stay away order as an order issued by a court of competent jurisdiction that requires a person to do any or all of the following: (1) stay away from the home, school, business or place of employment of the victim of the alleged crime and any other location specifically named by the court; or (2) refrain from contacting, intimidating, threatening or otherwise interfering with the victim of the alleged crime and any other person named in the order, including, without limitation, a member of the family or the household of the victim of the alleged crime.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 199 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***1. In addition to any other sanction the court may issue or***
4 ***other action the court may take pursuant to specific statute against***
5 ***a person who violates an order of the court, any person who***
6 ***violates a stay away order is guilty of a misdemeanor.***

7 ***2. As used in this section, “stay away order” means an order***
8 ***issued by a court of competent jurisdiction that requires a person***
9 ***to do any or all of the following:***

10 ***(a) Stay away from the home, school, business or place of***
11 ***employment of the victim of the alleged crime and any other***
12 ***location specifically named by the court.***

13 ***(b) Refrain from contacting, intimidating, threatening or***
14 ***otherwise interfering with the victim of the alleged crime and any***
15 ***other person named in the order, including, without limitation, a***
16 ***member of the family or the household of the victim of the alleged***
17 ***crime.***

